



1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA**

8 UNITED STATES OF AMERICA,
9

10 Plaintiff,

11 v.

12 RODNEY DEWARD BOURGEOIS,
13 aka "Gangsta,"
14 aka "G Rod,"

15 Defendant.

CASE NO. CR 11-430 -2

ORDER OF DETENTION

16
17 I.

18 A. (X) On motion of the Government in a case allegedly involving:

- 19 1. () a crime of violence.
20 2. () an offense with maximum sentence of life imprisonment or death.
21 3. (X) a narcotics or controlled substance offense with maximum sentence
22 of ten or more years.
23 4. () any felony - where the defendant has been convicted of two or more
24 prior offenses described above.
25 5. () any felony that is not otherwise a crime of violence that involves a
26 minor victim, or possession or use of a firearm or destructive device
27 or any other dangerous weapon, or a failure to register under 18
28 U.S.C § 2250.

1 B. (X) On motion by the Government / () on Court's own motion, in a case
2 allegedly involving:

3 (X) On the further allegation by the Government of:

4 1. (X) a serious risk that the defendant will flee.

5 2. () a serious risk that the defendant will:

6 a. () obstruct or attempt to obstruct justice.

7 b. () threaten, injure, or intimidate a prospective witness or juror or
8 attempt to do so.

9 C. The Government (X) is/ () is not entitled to a rebuttable presumption that no
10 condition or combination of conditions will reasonably assure the defendant's
11 appearance as required and the safety of any person or the community.

12
13 II.

14 A. ~~(X)~~ The Court finds that no condition or combination of conditions will
15 reasonably assure:

16 1. ~~(X)~~ the appearance of the defendant as required.

17 () and/or

18 2. ~~(X)~~ the safety of any person or the community.

19 B. ~~(X)~~ The Court finds that the defendant has not rebutted by sufficient
20 evidence to the contrary the presumption provided by statute.

21
22 III.

23 The Court has considered:

24 A. the nature and circumstances of the offense(s) charged, including whether the
25 offense is a crime of violence, a Federal crime of terrorism, or involves a minor
26 victim or a controlled substance, firearm, explosive, or destructive device;

27 B. the weight of evidence against the defendant;

28 C. the history and characteristics of the defendant; and

1 D. the nature and seriousness of the danger to any person or to the community.

2 IV.

3 The Court also has considered all the evidence adduced at the hearing and the
4 arguments and/or statements of counsel, and the Pretrial Services
5 Report/recommendation.

6
7 V.

8 The Court bases the foregoing finding(s) on the following:

9 A. (x) As to flight risk: no verified background info or
10 known bail resources

11
12
13
14
15
16
17 B. (x) As to danger: prior narcotics conv. (recent);
18 nature of current allegations

19
20
21
22
23
24
25 VI.

26 A. () The Court finds that a serious risk exists that the defendant will:

27 1. () obstruct or attempt to obstruct justice.

28 2. () attempt to/ () threaten, injure or intimidate a witness or juror.

1
2 B. The Court bases the foregoing finding(s) on the following: _____
3
4
5
6
7
8
9

10 VII.
11

12 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

13 B. IT IS FURTHER ORDERED that the defendant be committed to the
14 custody of the Attorney General for confinement in a corrections facility
15 separate, to the extent practicable, from persons awaiting or serving
16 sentences or being held in custody pending appeal.

17 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable
18 opportunity for private consultation with counsel.

19 D. IT IS FURTHER ORDERED that, on order of a Court of the United States
20 or on request of any attorney for the Government, the person in charge of
21 the corrections facility in which the defendant is confined deliver the
22 defendant to a United States marshal for the purpose of an appearance in
23 connection with a court proceeding.
24

25
26 DATED: May 19, 2011

27 
28 Paul L. Abrams
UNITED STATES MAGISTRATE JUDGE